

RESOLUTION NO. 2010-73

A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING TERMINATION OF THE NORTHERN CALIFORNIA
POWER AGENCY NATURAL GAS PROCUREMENT PROGRAM THIRD
PHASE AGREEMENT AND AUTHORIZING EXECUTION OF THE
TERMINATION BY THE CITY MANAGER

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WHEREAS, on or about November 6, 1991, the Northern California Power Agency (NCPA), Lodi, and certain other NCPA members entered into the Natural Gas Procurement Program (NGPP) Third Phase Agreement authorizing NCPA to contract for the transportation, storage, and supply of natural gas for the needs of Participants; and

WHEREAS, the NGPP Third Phase Agreement does not reflect current gas procurement practices, and the Parties desire to formally terminate the NGPP Third Phase Agreement; and

WHEREAS, concurrent with the termination of the NGPP Third Phase Agreement, NCPA will establish new Schedules as attachments to the NCPA Facilities Agreement to allow NCPA to secure needed fuel transportation, storage, and supply.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve the termination of the NCPA Natural Gas Procurement Program Third Phase Agreement; and

BE IT FURTHER RESOLVED that the City Council authorizes the execution of the Termination of Natural Gas Procurement Program Third Phase Agreement by the City Manager, or his designee, in substantially the form presented with such revisions that are mutually agreeable to the parties that the City Manager or designee finds beneficial.

Dated: June 2, 2010

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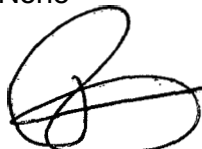
I hereby certify that Resolution No. 2010-73 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 2, 2010, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce, and
Mayor Katzakian

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


RANDI JOHL
City Clerk